

Message Text

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ACTION EB-08

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIA-06 TRSE-00

EUR-12 ERDA-05 ISO-00 ACDA-07 /039 W

-----160656Z 044008 /22

R 151927Z MAR 77

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 5728

C O N F I D E N T I A L OECD PARIS 07636

EXCON

E.O. 11652:XGDS1

TAGS: ESTC, COCOM, FR, UR

SUBJ: FRENCH COMPUTERS FOR MESSAGE SWITCHING CENTER

TO USSR IL 1565.

REFS: A) COCOM DOC (77) 120, B) STATE 50299

1. FRENCH DEL STATED SURPRISE AT US LICENSE RESERVE AT COCOM MEETING 3/8 RECALLING THAT EQUIPMENT COULD HAVE BENEFITTED FROM THE PROCEDURE OUTLINED IN NOTE 4 TO ARTICLE 1565. UNDER NOTE 4 MEMBER GOVERNMENTS WOULD HAVE ONLY 30 DAYS IN WHICH TO AGREE TO THE LISTING OF THE EQUIPMENT UNDER IN 20. EQUIPMENT SO LISTED COULD BENEFIT FROM ADMINISTRATIVE EXCEPTION TREATMENT AND THE EXPORTING GOVERNMENT WOULD NOT HAVE TO EVEN DIVULGE THE END USER/END USE UNTIL THE ITEMS HAD BEEN SHIPPED. HE STATED THAT CASE HAD BEEN SUBMITTED UNDER GENERAL EXCEPTIONS PROCEDURE, BECAUSE FRENCH AUTHORITIES BELIEVED THAT APPROVAL FOR THIS PARTICULAR EXPORT COULD BE OBTAINED MORE QUICKLY THIS WAY. HE REFERRED TO SUB PARA (G) OF NOTE 4, WHICH HE INTERPRETED AS NOT PERMITTING OTHER MEMBER GOVERNMENTS TO REFUSE TO GRANT APPROPRIATE LICENSES FOR ITEMS LISTED UNDER IN 20.

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2. US DEL RESPONDED THAT CASE HAD IN FACT BEEN SUBMITTED UNDER GENERAL EXCEPTION PROCEDURE AND THERE WAS THEREFORE NO QUESTION AS TO APPLICABILITY OF US LICENSING RESERVE. EVEN IF EQUIPMENT HAD BEEN APPROVED BY THE COMMITTEE FOR ADMINISTRATIVE EXCEPTION TREATMENT UNDER NOTE 4, THIS WOULD IN NO WAY RESTRICT OTHER MEMBER COUNTRIES FROM APPLYING THEIR DOMESTIC EXPORT LICENSING REGULATIONS.

NOTE G, US DEL STATED, ONLY REQUIRED THAT THE EXPORTING COUNTRY REPORT TO THE COMMITTEE WHEN IT HAS LICENSED THE EXPORT OF EQUIPMENT BENEFITTING FROM ADMINISTRATIVE EXCEPTION TREATMENT UNDER NOTE 4.

3. COMMENT: FRENCH DEL HAS RAISED AN INTERESTING QUESTION AS TO POSSIBLE CONFLICT BETWEEN GRANTING OF ADMINISTRATIVE EXCEPTION TREATMENT AND APPLICATION OF US LICENSING REGULATIONS. NORMALLY NO PROBLEM WOULD RESULT FROM THE DUAL CONTROLS (COCOM AND NATIONAL). THE NATIONAL AUTHORITIES WOULD HAVE ALREADY AGREED THAT THE TECHNICAL CHARACTERISTICS OF THE EQUIPMENT IN QUESTION RAISED NO SERIOUS STRATEGIC CONCERNS. BUT WHERE NATIONAL LICENSING PROBLEM IS FOCUSED ON END USE/END USER THEN A SERIOUS CONFLICT BETWEEN COCOM AND NATIONAL CONTROL REGIMES CAN RESULT. NOTE 4 SPECIFICALLY LEAVES THE DETERMINATION OF THE ACCEPTABILITY OF THE END USE/END USER TO THE EXPORTING COUNTRY. IF THE UNITED STATES, OR ANY OTHER MEMBER, WERE TO THWART THIS DETERMINATION BY REFUSING TO ISSUE AN ASSOCIATED DOMESTIC LICENSE APPLICATION THEY MIGHT WELL BE ACCUSED OF BAD FAITH. IF US DOES HAVE CONCERNS REGARDING THE END USER/END USE THEN WE SHOULD EXPRESS THESE CONCERNS IN DETAIL TO THE COMMITTEE AT THIS TIME TO JUSTIFY OUR POSITION IN THIS CASE.

4. ACTION REQUESTED: ADDITIONAL INFORMATION AS TO US CONCERNS REGARDING END USER/END USE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TELECOMMUNICATION, STRATEGIC TRADE CONTROLS, COMPUTERS, EXPORT LICENSES, EXCEPTIONS LIST
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
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Previous Handling Restrictions: n/a
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Retention: 0
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3104253
Secure: OPEN
Status: NATIVE
Subject: FRENCH COMPUTERS FOR MESSAGE SWITCHING CENTER TO USSR IL 1565.
TAGS: ESTC, FR, UR, US, COCOM
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/3e21f8b7-c288-dd11-92da-001cc4696bcc
Review Markings:
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